

Illegal Tobacco Enforcement: Multi-Agency Illegal Tobacco Task Force

SECTION 71. Chapter 64C of the General Laws is hereby amended by adding the following section:-

Section 40. (a) There shall be a multi-agency illegal tobacco task force. The task force shall coordinate efforts to combat contraband tobacco distribution, including efforts to foster compliance with the law and conduct targeted investigations and enforcement actions against violators. The task force shall be co-chaired by the colonel of state police or a designee and the commissioner of revenue or a designee and shall also consist of: the secretary of public safety and security or a designee; the state treasurer or a designee; the attorney general or a designee; and the commissioner of public health or a designee.

(b) The task force shall:

(i) facilitate timely information sharing among state agencies in order to advise or refer matters of potential investigative interest;

(ii) dedicate not less than an aggregate of 20 personnel from member agencies to carry out enforcement and investigative strategies;

(iii) identify where illegal tobacco distribution is most prevalent and target task force members' investigative and enforcement resources against those in violation of this chapter and chapter 62C, including through the formation of joint investigative and enforcement teams;

(iv) assess existing investigative and enforcement methods in the commonwealth and in other jurisdictions and develop and recommend strategies to improve those methods; and

(v) solicit the cooperation and participation of other relevant enforcement agencies and establish procedures for referring cases to prosecuting authorities as appropriate.

(c) The multi-agency illegal tobacco task force shall meet at times and places to be determined by the co-chairs and may establish working groups, meetings, forums or any other activity deemed necessary to carry out its mandate.

(d) The task force shall submit a report not later than March 1 of each year on the results of its findings, activities and recommendations from the preceding year with the clerks of the senate and house of representatives, the chairs of the joint committee on revenue, the chairs of the senate and house committees on ways and means and the chairs of the joint committee on public safety and homeland security. The report shall include, but not be limited to: (i) a description of the task force's efforts and activities during the year; (ii) identification of any administrative or legal barriers, including any barriers to multi-agency action or enforcement efforts; and (iii) proposed legislative or regulatory changes necessary to strengthen operations and enforcement efforts and reduce or eliminate any impediments to those efforts.

Illegal Tobacco Enforcement: Multi-Agency Illegal Tobacco Task Force Report

SECTION 184. Not later than July 1, 2016 the multi-agency illegal tobacco task force established in section 40 of chapter 64C of the General Laws shall submit a report and proposed legislation to the clerks of the house of representatives and the senate, the house and senate chairs of the joint committee on revenue, the chairs of the house and senate committees on ways and means and the house and senate chairs of the joint committee on public safety and homeland security with recommendations on: (i) enhancing and amending cigarette excise forfeiture provisions; (ii) increasing civil and criminal penalties; (iii) updating and clarifying cigarette excise regulatory and administrative provisions; and (iv) potential regulatory or statutory changes to strengthen enforcement efforts, including any changes necessary to resolve existing legal ambiguities or inconsistencies and potential legal procedures for facilitating enforcement efforts.
